

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Rosa Ledbetter,	)	Case 6:23-cv-02312-JDA
	)	
Plaintiff,	)	
	)	
v.	)	<b><u>OPINION AND ORDER</u></b>
	)	
Commissioner of Social Security	)	
Administration,	)	
	)	
Defendant.	)	

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Rosa Ledbetter brought this action pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) to obtain judicial review of a final decision of the Commissioner of Social Security (“Commissioner”) denying her claim for disability insurance benefits. [Doc. 1.] In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule (D.S.C.) 73.02(B)(2)(a), this matter was referred to United States Magistrate Judge Kevin F. McDonald for pre-trial disposition. On March 18, 2024, the Magistrate Judge issued a Report and Recommendation (“Report”), recommending that the Commissioner’s decision be reversed pursuant to sentence four of 42 U.S.C. § 405(g) and the case remanded for further administrative action. [Doc. 27.] The Magistrate Judge advised the parties of the procedures and requirements for filing objections and the serious consequences if they failed to do so. [*Id.* at 11.] The parties have not filed objections and the time to do so has lapsed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. See *Mathews v. Weber*, 423 U.S. 261, 270–71

(1976). The Court is charged with making a de novo determination of only those portions of the Report that have been specifically objected to, and the Court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the Court finds no clear error, accepts the Report, and incorporates the Report by reference herein. Accordingly, the decision is REVERSED, and the matter is REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative action.

IT IS SO ORDERED.

s/ Jacquelyn D. Austin  
United States District Judge

April 15, 2024  
Greenville, South Carolina